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IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 26TH DAY OF MAY, 1998

BEFORE

THE HON'BLE MR. JUSTICE PIVISHWANATHA SHETTY

WRIT PETITION N O. 21777/94

BETWEEN:

Siddamma

w/o Bhimanna Kambar,

aged major,

r/o Bairamaddi

taluk Surpur

by her P.A. Holders-

1. Venkappa Satyaappa Bandi and

2. Sri Neelakantappa s/o

Chikkatayappa Shavi,

Both are major,

Occ: Business,

r/o Ilkal, Hunagund taluk,

Bijapur district.

.. Petitioner

(By Sri N. Shankar Ranganji, Ad. for petitioner)

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AND

1. The State of Karnataka
by its Secretary
Dept. of Revenue,
Vidhana Soudha,
Bangalore.
2. The Director of Mines & Geology
S.P. Complex,
Lalbagh Road,
Bangalore.
3. The Senior Geologist & Sr. Officer,
Dept. of Mines and Geology,
Gulbarga Division,
Gulbarga.
4. The Deputy Commissioner,
Gulbarga.
5. The Assistant Commissioner,
Revenue Sub-Division,
Yadagiri,
Gulbarga dist.
6. The Tahsildar
Surpur taluk,
Surpur,
Gulbarga dist.

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7. The Range Forest Officer,
Surpur Range,
Surpur,
Gulbarga dist.

8. The Circle Inspector of police,
Surpur circle,
Surpur,
Gulbarga dist.

.. Respondents

(By Sri N.P.Singri HCGP for respondents)

This Writ petition filed under
Articles 226 and 227 of the Constitution
of India with an affidavit praying to
prohibit the respondents from interfering
with the petitioner's right to excavate
quarry/Mine and transport the granite
mineral found ⁱⁿ her patta land in accordance
her right under Sec.69 of the Bombay
Land Revenue Code 1879/Or.Sec.63 of the

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of the Hyderabad Land Revenue Code

r/w Sec.70 of the K.L.R.Act.1964 and etc.,

The writ petition coming for preliminary
in B group
hearing this day the court made the following

ORDER

In this petition , the petitioners
have prayed for a writ in the nature of
mandamus directing the respondents not to
interfere with the petitioners' right to
excavate/quarry mine and transport the
granite from the land bearing survey No.53/1
measuring 4 acres situated at Badyapur
village, Surpur taluk, Gulbarga district.

I do not find any merit in this
petition. The relief sought for by the
petitioner cannot be granted by this court

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in exercise of its jurisdiction either
under Article 226 or under Article 227
of the Constitution of India.

Therefore, this petition is dismissed.

Sri Singri, learned Government
Pleader, is permitted to file his memo of
appearance.

Sd/-JUDGE

Kb

R by

11/8/98

C by

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Assistant Registrar,
High Court of Karnataka,
Bangalore-560 001.

